

HOUSE BILL 2282

By Kisber

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 120, Part 1, relative to carbon monoxide detectors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 120, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 68-120-117.

(a) As used in this section,

(1) "Residential building" means an apartment building or hotel as these terms are defined in §68-120-112.

(2) "Residential unit" means a single family dwelling, individual condominium unit or manufactured home, and also includes without limitation, a house boat, motor home, travel trailer or other similar vehicle with sleeping quarters.

(b) On and after July 1, 2002, an operational carbon monoxide detector with a suitable alarm shall be installed and maintained in accordance with the manufacturer's direction:

(1) In any newly constructed residential unit or each living unit or room of a residential building, which has a fuel-burning heating or cooking source, including, but not limited to, an oil or gas furnace or stove; or

(2) In any residential unit which is connected to a newly constructed building, including, but not limited to, a garage, storage shed or barn, which has a fuel-burning heating or cooking source, including, but not limited to, an oil or gas furnace or stove.

(c)

(1) When repair or maintenance work is undertaken on a fuel-burning heating or cooking source or a venting system in an existing residential unit, the person making the repair or performing the maintenance shall inform the owner or lessor of the unit of the dangers of carbon monoxide poisoning and recommend the installation of a carbon monoxide detector.

(2) When repair or maintenance work is undertaken on a fuel-burning heating or cooking source or a venting system in an existing unit or room of a residential building, an operational carbon monoxide detector with a suitable alarm shall be installed in accordance with the manufacturer's direction in each living unit or room by the owner of the building.

(d)

(1) Any carbon monoxide detector required to be installed in a living unit of an apartment building by this section shall be maintained by the tenant of the living unit where the carbon monoxide detector is located in accordance with the manufacturer's instructions. Upon termination of a tenancy in a unit, the owner of the apartment building shall ensure that

any required carbon monoxide detector is operational prior to reoccupancy of the unit.

(2) The owner or manager of a hotel shall be responsible for performance of such maintenance, repairs, and tests as are necessary to ensure that every carbon monoxide detector required in such hotel is operational at all times.

(e) Compliance with this section shall not relieve any person from the requirements of any other applicable law, ordinance, rule or regulation.

(f) Nothing in this section shall be construed to limit the rights of any political subdivision in this state to enact laws imposing upon owners of any dwelling or other building described in this act a greater duty with regard to the installation, repair and replacement of the carbon monoxide detectors than is required by this section.

(g) Any person who violates any provision of this section is guilty of a Class C misdemeanor subject to a fine only not to exceed fifty dollars (\$50.00).

SECTION 2. This act shall take effect July 1, 2002, the public welfare requiring it.